



Federal Register

4-9-03

Vol. 68 No. 68

Pages 17253-17528

Wednesday

Apr. 9, 2003



The **FEDERAL REGISTER** is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see http://www.archives.gov/federal_register/.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and it includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

GPO Access users can choose to retrieve online **Federal Register** documents as TEXT (ASCII text, graphics omitted), PDF (Adobe Portable Document Format, including full text and all graphics), or SUMMARY (abbreviated text) files. Users should carefully check retrieved material to ensure that documents were properly downloaded.

On the World Wide Web, connect to the **Federal Register** at <http://www.access.gpo.gov/nara>. Those without World Wide Web access can also connect with a local WAIS client, by Telnet to swais.access.gpo.gov, or by dialing (202) 512-1661 with a computer and modem. When using Telnet or modem, type swais, then log in as guest with no password.

For more information about GPO Access, contact the GPO Access User Support Team by E-mail at gpoaccess@gpo.gov; by fax at (202) 512-1262; or call (202) 512-1530 or 1-888-293-6498 (toll free) between 7 a.m. and 5 p.m. Eastern time, Monday-Friday, except Federal holidays.

The annual subscription price for the **Federal Register** paper edition is \$699, or \$764 for a combined **Federal Register**, **Federal Register Index** and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register Index** and LSA is \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 25% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 68 FR 12345.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list

Then follow the instructions.



Printed on recycled paper.

Contents

Federal Register

Vol. 68, No. 68

Wednesday, April 9, 2003

Agricultural Marketing Service

RULES

Nectarines and peaches grown in—
California, 17257–17267

Prunes (dried) produced in—
California, 17267–17272

PROPOSED RULES

Onions (sweet) grown in—
Washington and Oregon, 17325–17327

Agriculture Department

See Agricultural Marketing Service

See Animal and Plant Health Inspection Service

See Commodity Credit Corporation

See Farm Service Agency

See Forest Service

See National Agricultural Statistics Service

See Rural Business-Cooperative Service

See Rural Housing Service

See Rural Utilities Service

Animal and Plant Health Inspection Service

PROPOSED RULES

Viruses, serums, toxins, etc.:

Veterinary biological products; actions by licensees and
permittees to stop preparation, distribution, sale, etc.,
17327–17330

NOTICES

Meetings:

National Wildlife Services Advisory Committee, 17335

Viruses, serums, toxins, etc.:

Patent term extension; regulatory review period
determinations—
Poultvac ST Vaccine, 17335–17336

Census Bureau

NOTICES

Meetings:

Census Advisory Committees, 17342

Coast Guard

RULES

Ports and waterways safety:

Tampa Bay et al., FL; security zones
Correction, 17291–17292

Commerce Department

See Census Bureau

See Economic Development Administration

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

See National Telecommunications and Information
Administration

See Patent and Trademark Office

Commodity Credit Corporation

RULES

Loan and purchase programs:

Agricultural Management Assistance Program, 17272–
17276

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 17336–17338

Defense Department

See Navy Department

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 17356–17357

Health Information Privacy Program:

Protected health information; appropriate uses and
disclosures, 17357–17358

Privacy Act:

Systems of records, 17358–17359

Drug Enforcement Administration

NOTICES

Applications, hearings, determinations, etc.:

AccuStandard, Inc., 17402

Boehringer Ingelheim Chemicals, Inc., 17402–17403

Church of the Living Tree, 17403–17405

Dade Behring Inc., 17405–17406

Harris, James, E., P.A., 17406

Island Wholesale, Inc., 17406–17407

Penick Corp.; correction, 17407–17408

Siegfried (USA), Inc., 17408

Economic Development Administration

NOTICES

Grants and cooperative agreements; availability, etc.:

Economic development assistance programs, 17519–
17528

Education Department

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 17359–17361

Employee Benefits Security Administration

RULES

Employee Retirement Income Security Act:

Civil penalties; assessment, 17502–17506

Administrative hearing procedures, 17505–17511

Medical care to employees of two or more employers;
multiple employer welfare arrangements and other
entities providing coverage; reporting requirements,
17493–17503

Section 3(40) collective bargaining agreements—

Plans established or maintained, 17471–17484

Plans established or maintained; administrative hearing
procedures, 17483–17491

Employment and Training Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 17410–17411

Energy Department

See Energy Efficiency and Renewable Energy Office

NOTICES

Electricity export and import authorizations, permits, etc.:

Direct Commodities Trading Inc., 17361

Energy Efficiency and Renewable Energy Office**NOTICES**

Consumer products; energy conservation program:
Representative average unit costs of energy sources—
Electricity, natural gas, heating oil, propane, and
kerosene, 17361–17363

Environmental Protection Agency**RULES**

Hazardous waste program authorizations:
Oklahoma, 17308–17311
Pesticides; tolerances in food, animal feeds, and raw
agricultural commodities:
Decanoic acid
Correction, 17307–17308

PROPOSED RULES

Air quality implementation plans; approval and
promulgation; various States:
Indiana, 17331–17332
Hazardous waste program authorizations:
Oklahoma, 17332–17333

NOTICES

Confidential business information and data transfer, 17363–
17365
Meetings:
Air quality criteria; ozone and related photochemical
oxidants; peer-review workshop, 17365
National Drinking Water Advisory Council, 17365–17366
Pesticide registration, cancellation, etc.:
Chromated copper arsenate wood preservative products,
17366–17372
Plant Products Co. Ltd., 17372–17374
Pesticides; experimental use permits, etc.:
Great Lakes Fishery Commission, 17374–17377
Superfund program:
Prospective lessee agreements—
Allied-Signal Property, MD, 17377–17378
Toxic and hazardous substances control:
Lead-based paint activities in target housing and child-
occupied facilities; State and Indian Tribe
authorization applications—
North Dakota, 17378–17379
Water pollution control:
Clean Water Act—
Sewage sludge; use and disposal; regulatory review;
comment request, 17379–17395

Executive Office of the President

See Presidential Documents

Farm Service Agency**PROPOSED RULES**

Special programs:
Farm Security and Rural Investment Act of 2002;
implementation—
Loan eligibility provisions, 17316–17320
Minor Program loans, 17320–17325

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 17337–17338

Federal Aviation Administration**RULES**

Air carrier certification and operations:
Flightcrew compartment access and door designs, 17513–
17517

Federal Communications Commission**RULES**

Television broadcasting:
Cable television systems—
Markets definition for purposes of broadcast signal
carriage rules; correction, 17312

NOTICES

Radio broadcasting:
Equal Employment Opportunity rules and policies—
EEO public file reports; placement requirement, 17395–
17396
Rulemaking proceedings; petitions filed, granted, denied,
etc., 17396

Federal Maritime Commission**NOTICES**

Agreements filed, etc., 17396
Ocean transportation intermediary licenses:
Pacific Atlantic Lines, Inc., et al., 17396–17397

Federal Reserve System**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17397–17398
Banks and bank holding companies:
Change in bank control, 17398
Formations, acquisitions, and mergers, 17398
Permissible nonbanking activities, 17399

Fish and Wildlife Service**RULES**

Endangered and threatened species:
Critical habitat designations—
Kauai cave wolf spider and amphipod, 17429–17470
Gray wolf
Correction, 17428

Food and Drug Administration**RULES**

Food additives:
Pentaerythritol ester of partially hydrogenated gum or
wood rosin; CFR correction, 17277

Foreign-Trade Zones Board**NOTICES**

Applications, hearings, determinations, etc.:
California, 17342–17343

Forest Service**NOTICES**

Appealable decisions; legal notice:
Intermountain Region, 17338–17340
Environmental statements; notice of intent:
Bridger-Teton National Forest, WY, 17340–17341
Meetings:
Resource Advisory Committees—
Grays Harbor, 17341
Olympic Peninsula, 17341

General Services Administration**NOTICES**

Public buildings space:
Federal buildings; redesignation, 17399

Health and Human Services Department

See Food and Drug Administration

Homeland Security Department

See Coast Guard

Interior Department

See Fish and Wildlife Service
See National Park Service

Internal Revenue Service**RULES**

Excise taxes:

Pension excise taxes; future benefit accrual rate;
significant reduction, 17277–17291

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 17424–17425

Committees; establishment, renewal, termination, etc.:
Electronic Tax Administration Advisory Committee,
17425–17426

Inflation adjustment factor and reference prices:
Nonconventional source fuel credit, 17426

Meetings:

Taxpayer Advocacy Panels, 17426–17427

International Trade Administration**NOTICES**

Antidumping:

Bulk aspirin from—
China, 17343–17346

Countervailing duties:

Pasta from—
Italy, 17346–17350

International Trade Commission**NOTICES**

Import investigations:

Power amplifier chips, broadband tuner chips,
transceiver chips, and products containing same;
correction, 17399

Justice Department

See Drug Enforcement Administration

See Justice Programs Office

NOTICES

Pollution control; consent judgments:

BD Oil Gathering, Inc., 17399–17400
Colonial Pipeline Co., 17400
Puerto Rico Aqueduct & Sewer Authority, et al., 17400–
17401

Privacy Act:

Systems of records, 17401–17402

Justice Programs Office**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17408

Meetings:

Violence Against Women National Advisory Committee,
17409

Labor Department

See Employee Benefits Security Administration

See Employment and Training Administration

See Labor Statistics Bureau

Labor Statistics Bureau**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17411

National Aeronautics and Space Administration**NOTICES**

Patent licenses; non-exclusive, exclusive, or partially
exclusive:

Automated Control Technologies, Inc., 17412
Bombardier Motor Corporation of America, 17412

National Agricultural Statistics Service**NOTICES**

Committees; establishment, renewal, termination, etc.:

Agricultural Statistics Advisory Committee, 17341–17342

National Oceanic and Atmospheric Administration**RULES**

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—
American Fisheries Act; implementation; correction,
17314

PROPOSED RULES

Fishery conservation and management:

Magnuson-Stevens Act provisions—
Domestic fishing; general provisions, 17333–17334

NOTICES

Marine mammals:

Incidental taking—
Vandenberg Air Force Base, CA; harbor activities
related to Delta IV/Evolved Expendable Launch
Vehicle; pinnipeds, 17351–17354

National Park Service**RULES**

Special regulations:

Lake Mead National Recreation Area, NV and AZ;
personal watercraft use, 17292–17307

**National Telecommunications and Information
Administration****NOTICES**

Grants and cooperative agreements; availability, etc.:

Pan-Pacific Education and Communication Experiments
by Satellite Program, 17354–17356

Navy Department**NOTICES**

Inventions, Government-owned; availability for licensing,
17359

Nuclear Regulatory Commission**NOTICES**

Meetings:

Nuclear Waste Advisory Committee, 17414–17415

Applications, hearings, determinations, etc.:

Entergy Nuclear Operations, Inc., 17412–17414
United States Enrichment Corp., 17414

Patent and Trademark Office**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17356

Personnel Management Office**PROPOSED RULES**

Group life insurance; Federal employees:

Premium rates and age bands, 17315–17316

Presidential Documents**PROCLAMATIONS***Special observances:*

National Crime Victims' Rights Week (Proc. 7659),
17253–17254

EXECUTIVE ORDERS

Quarantinable communicable diseases, revised list (EO
13295), 17255

Railroad Retirement Board**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17415–17416

Rural Business-Cooperative Service**PROPOSED RULES**

Program regulations:

Farm Security and Rural Investment Act of 2002;
implementation—

Loan eligibility provisions, 17316–17320

Minor Program loans, 17320–17325

Rural Housing Service**PROPOSED RULES**

Program regulations:

Farm Security and Rural Investment Act of 2002;
implementation—

Loan eligibility provisions, 17316–17320

Minor Program loans, 17320–17325

Rural Utilities Service**PROPOSED RULES**

Program regulations:

Farm Security and Rural Investment Act of 2002;
implementation—

Loan eligibility provisions, 17316–17320

Minor Program loans, 17320–17325

Securities and Exchange Commission**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17416

Self-regulatory organizations; proposed rule changes:

American Stock Exchange LLC, 17416–17418

National Association of Securities Dealers, Inc., 17418–
17420

Pacific Exchange, Inc., 17420–17422

Small Business Administration**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 17422–17423

Disaster loan areas:

West Virginia, 17423

Social Security Administration**NOTICES**

Meetings:

Ticket to Work and Work Incentives Advisory Panel,
17423

Statistical Reporting Service

See National Agricultural Statistics Service

Surface Transportation Board**RULES**

Practice and procedure:

Rate challenges; expedited resolution under stand-alone
cost methodology, 17312–17314

Transportation Department

See Federal Aviation Administration

See Surface Transportation Board

Treasury Department

See Internal Revenue Service

Separate Parts In This Issue**Part II**

Interior Department, Fish and Wildlife Service, 17429–
17470

Part III

Labor Department, Employee Benefits Security
Administration, 17471–17491

Part IV

Labor Department, Employee Benefits Security
Administration, 17493–17511

Part V

Transportation Department, Federal Aviation
Administration, 17513–17517

Part VI

Commerce Department, Economic Development
Administration, 17519–17528

Reader Aids

Consult the Reader Aids section at the end of this issue for
phone numbers, online resources, finding aids, reminders,
and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents
LISTSERV electronic mailing list, go to [http://
listerv.access.gpo.gov](http://listerv.access.gpo.gov) and select Online mailing list
archives, FEDREGTOC-L, Join or leave the list (or change
settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Proclamations:**

7659.....17253

Executive Orders:

12452 (Revoked by
13295)17255
13295.....17255

5 CFR**Proposed Rules:**

870.....17315

7 CFR

916.....17257
917.....17257
993.....17267
1465.....17272

Proposed Rules:

762.....17316
772.....17320
956.....17325
1901.....17320
1941.....17316
1943.....17316
1951 (2 documents)17316,
17320

9 CFR**Proposed Rules:**

105.....17327
115.....17327

14 CFR

121.....17514

21 CFR

172.....17277

26 CFR

1.....17277
54.....17277
602.....17277

29 CFR

2510.....17472
2520.....17494
2560.....17503
2570 (2 documents)17484,
17506

33 CFR

165.....17291

36 CFR

7.....17292

40 CFR

180.....17307
271.....17308

Proposed Rules:

52.....17331
271.....17332

47 CFR

76.....17312

49 CFR

1109.....17312
1111.....17312
1114.....17312

50 CFR

17 (2 documents)17428,
17430
679.....17314

Proposed Rules:

600.....17333